

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**In re: Oil Spill by the Oil Rig  
“Deepwater Horizon” in the Gulf  
of Mexico, on April 20, 2010**

**MDL NO. 2179**

**SECTION J**

**Applies to: *All Cases***

**JUDGE BARBIER  
MAGISTRATE JUDGE SHUSHAN**

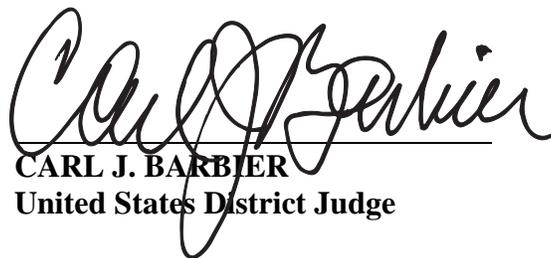
**PRETRIAL ORDER NO. 32**

**[CASE MANAGEMENT ORDER NO. 2]**

**[Regarding Revised Time Line]**

For ease of reference, the deadlines contained in the Pretrial Order No. 11 (Case Management Order No. 1)(Rec. Doc. 569) were summarized in a Time Line attached to PTO No. 11 as Exhibit A. Since the issuance of PTO No. 11, orders have been issued which modified the Time Line. Those modifications are in italics on the attached Revised Time Line. The Court has determined that other changes are required in the Time Line which are in bold on the attached Revised Time Line.

New Orleans, Louisiana, this 3rd day of March, 2011.

  
**CARL J. BARBIER**  
United States District Judge

DATE	DEADLINE / EVENT [REVISED March 3, 2011]
03-01-2011	<i>Begin multi-track depositions. See PTO No. 27 (Rec. Doc. 1075) - January 27, 2011.</i>
03-18-2011	Answer, Cross-Claims and Third-Party Complaints by 14(c) Defendants in the Limitation and/or Defendants in the Bundle A Cases.
03-18-2011	Reply Briefs in Support of Motions to Dismiss.
03-25-2011	<i>Status Conferences - Judge Barbier and Magistrate Judge Shushan.</i>
03-28-2011	<i>Deadline for filing an opposition to a motion to dismiss Consolidated Class Action Complaint and RICO Case Statement (Bundle B2) (Rec. Doc. 1059). See Order (Rec. Doc. 1012) - January 18, 2011.</i>
03-28-2011	<i>Deadline for an answer or other response to the currently-filed governmental entity plaintiffs now in Pleading Bundle C (not to include complaints in 10-4536, 10-4182 and 10-4183). See Stipulated Order Governing Defendants' Responses to Bundle C Complaints (Rec. Doc. 1500) - March 3, 2011.</i>
03-30-2011	<i>Deadline for memoranda in opposition to any Rule 12(b)(1) 12(b)(6), or 12(c) motions filed as responsive pleadings referred to in Paragraph IV(B) of CMO NO. 1 (PTO no. 11) as may be applicable for Pleading Bundles B1, B2, B3, C (except for the Bundle C cases filed by State of Alabama) and D1. See PTO No. 28 (Rec. Doc. 1235) - February 14, 2011.</i>
04-01-2011	<i>PSC shall report to the Court on procedures it will employ to facilitate litigation updates to pro se claimants using the Short-Form Joinder. See PTO No. 24 (Rec. Doc. 982) - January 12, 2011.</i>
04-20-2011	Deadline for answers and responsive pleadings to cross-claims and third-party actions by Rule 14(c) Defendants in the Limitation Action and Defendants in the Bundle A Cases.
04-20-2011	Monition Date (re Limitation) (including deadline for BP to file claim in Limitation and/or other cross-claim and/or third party complaint seeking any subrogation, contribution and/or indemnity under OPA, per contract, or other applicable law).
04-20-2011	<i>Any Short-Form Joinder submitted to the Clerk of Court by April 20, 2011 or postmarked by April 20, 2011 shall be deemed filed by April 20, 2011 monition date. See PTO No. 24 (Rec. Doc. 982) - January 12, 2011.</i>
04-25-2011	<i>Deadline for reply briefs in support of motions to dismiss Consolidated Class Action Complaint and RICO Case Statement (Bundle B2) (Rec. Doc. 1059). See Order (Rec. Doc. 1012) - January 18, 2011.</i>

- 04-29-2011 *Deadline for reply briefs in support of Rule 12(b)(1) 12(b)(6), or 12(c) motions applicable to Pleadings Bundles B1, B2, B3, C (except for the Pleading Bundle C cases filed by the State of Alabama which are the subject of a separate Order setting responsive pleadings deadlines) and D1. See PTO No. 28 (Rec. Doc. 1235) - February 14, 2011.*
- 04-29-2011 *Status Conferences - Judge Barbier and Magistrate Judge Shushan.*
- 05-01-2011 Parties shall file preliminary lists of all witnesses who may or will be called to testify and all exhibits which may or will be used at February 27, 2011 trial.**
- 05-02-2011 Identify one or more PI/Wrongful Death Limitation action cases and *Robins Dry Dock* cases filed in EDLA and designated for Bench trial under Rule 9(h) for February 2012 Trial of Liability, Limitation, Exoneration and Fault allocation, and July 2012 trial of Damages.
- 06-01-2011 Deadline for identification of fact witnesses not required for opinions of experts but who should be deposed before February 27, 2012 trial.**
- 06-03-2011 *Status Conferences - Judge Barbier and Magistrate Judge Shushan.*
- 07-08-2011 *Status Conferences - Judge Barbier and Magistrate Judge Shushan.*
- 07-29-2011 *Deadline for completion of fact depositions necessary as a predicate for the opinions of experts regarding blow-out, spill, limitation and related issues for the February 27, 2012. See PTO No. 27 (Rec. Doc. 1075) - January 27, 2011.*
- 08-12-2011 *Status Conferences - Judge Barbier and Magistrate Judge Shushan.*
- 08-15-2011 Expert Reports served by Limitation action parties with burden of proof on negligence and unseaworthiness.
- 09-12-2011 Expert Reports from Vessel Owner/Petitioner in Limitation.**
- 09-16-2011 *Status Conferences - Judge Barbier and Magistrate Judge Shushan.*
- 10-05-2011 All February 2012 Trial Defendants, 14(c) Defendants, and/or Third-Party Defendants to serve expert reports.**
- 10-10-2011 Columbus Day.
- 10-21-2011 *Status Conferences - Judge Barbier and Magistrate Judge Shushan.*
- 10-26-2011 Rebuttal Expert Reports for the February 2012 Trial.**

- 10-31-2011 Deadline for Transocean Ltd. to file reply brief in support of motion to dismiss for lack of jurisdiction. Court to hold hearing on motion after briefing is complete. See Stipulation/Scheduling Order (Rec. Doc. 1080) - January 28, 2011.*
- 10-31-2011 Begin depositions of All Experts for February 27, 2012 trial.**
- 11-11-2011 Veterans Day.
- 11-18-2011 Status Conferences - Judge Barbier and Magistrate Judge Shushan.*
- 11-24-2011 Thanksgiving.
- 12-16-2011 Status Conferences - Judge Barbier and Magistrate Judge Shushan.*
- 12-16-2011 End depositions of All Experts who will testify at February 27, 2012 trial.**
- 12-30-2011 Parties shall exchange final lists of trial witnesses and exhibits.**
- 01-09-2012 Daubert Motions for February 2012 Trial (if any).**
- 01-13-2012 Conference with Magistrate Judge Shushan re - preparation of pretrial order.**
- 01-16-2012 Martin Luther King Day.
- 01-20-2012 Status Conferences - Judge Barbier and Magistrate Judge Shushan.*
- 01-30-2012 Oppositions to Daubert Motions.**
- 01-31-2012 Submit pretrial order, pre-trial stipulations, witness and exhibit lists.**
- 02-01-2012 File Pre-Trial Motions for February 27, 2012 Trial.**
- 02-03-2012 Final Pre-Trial Conference for February 27, 2012 Trial.
- 02-10-2012 Oppositions to any motions filed on 02-01-2012.
- 02-20-2012 Presidents' Day.
- 02-21-2012 Mardi Gras.
- 02-27-2012 Trial of Liability, Limitation, Exoneration and Fault Allocation.
- Additional Discovery, Expert Discovery, and Motion Practice Relating to July 2012

Trial, as needed, and/or to be established under separate Scheduling Order.

7-16-2012 Trial of Damages for selected Limitation / Test Case PI/Death and *Robins Dry Dock* Claimants, Entitlement to Punitive Damages,<sup>2</sup> and Amount of Punitive Damages, if available.